



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

THE PUBLICATIONS OF THE SELDEN SOCIETY. Volume XX. YEAR BOOKS OF EDWARD II. Vol. III.: 3 Edward II. A.D. 1309-1310. Edited for the Selden Society by F. W. Maitland. London: Bernard Quaritch. 1905. pp. xcv, 244.

The Selden Society for the year 1905 sends us another volume of the Year Books; and it is most gratifying to find that this trustworthy and authoritative edition is proceeding without interruption. The whole volume is filled with the cases of a single year, and even then the year is not completed. The cases are not very interesting in themselves. They involve almost without exception obscure points in the law of real estate, so long obsolete that no one but an antiquarian can even understand the meaning of the points under discussion. But if we are not greatly edified by the discussions of the ancient men of law, we may turn to Professor Maitland's introduction, and there find pleasant and profitable instruction. He has again placed legal scholarship under a debt to him for a clear, interesting, and absolutely convincing account of the manuscripts and their probable origin. Further investigation has confirmed his earlier belief that there is not a single original report of the decisions, but that the manuscripts are simply collections, by various hands, of notes taken in court by the apprentices or the younger barristers. A most careful comparison of the same case in different manuscripts with the official roll makes this conclusion irresistible. The books therefore are not always correct, though we can often check them by the roll; and they must be used with some care by the legal historian. But, for all that, they are of inestimable value, not only to the student of English law, but also to the historian of the English people. "If not all of the men who compiled these books were heaven-born jurists, they were not the less human on that account, and their notes and their queries, their mistakes and their perplexities, may teach us more of English law and English life than we could learn from polished treatises." What, for instance, could be more enlightening as to the real Edward I. than this anecdote which Chief Justice Bereford tells, and the lively youth whose manuscript is called Y repeats. Isabel Countess of Albemarle had been summoned to parliament to answer the king "touching what should be objected against her." The king himself took his seat in parliament. Isabel's lawyer then demurred to the writ as too general, and Sir Ralph Hengham sustained the objection. "Then arose the king, who was very wise, and said: 'I have nothing to do with your disputations, but, God's blood! you shall give me a good writ before you arise hence.'" A touch like this is worth a volume of writs *sur disseisin de quibus* or *sur disseisin* in the *per*.

J. H. B.

ANCIENT LAW. Its Connection with the Early History of Society and its Relation to Modern Ideas. By Sir Henry Sumner Maine. With Introduction and Notes by Sir Frederick Pollock. London: John Murray. 1906. pp. xxiv, 428. 8vo.

Maine's Ancient Law was originally published nearly half a century ago, immediately after Mill's Essay on Liberty, immediately before Austin's Province of Jurisprudence Determined, in the full tide of triumphant Benthamism. It speaks well for Maine's essential qualities, for his scholarly acumen, his common sense, and his power of expression, that within the last few months no less than three editions of his now classic work have been put on the market by London publishers. The one under review is extremely well printed and enriched with notes by Maine's successor in the chair of Comparative Jurisprudence at Oxford, Sir Frederick Pollock; the only complaint one can make against the publishers is that the index is quite inadequate.

No better editor could be found for Ancient Law than Sir Frederick Pollock, and there is little cause to find fault with the twenty substantial notes he has appended to Maine's chapters. Several small points may, however, be noticed. The claim that Maine was the first to use Homer as a source of information on archaic legal procedure is not correct; more than a century earlier Vico covered this subject at some length. The same writer is left out of account when we